

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby gives Notice of Intended Action to amend Chapter 32, “High School Equivalency Diploma,” Iowa Administrative Code.

This chapter provides standards and procedures for proper management and administration of a high school equivalency test. Changes in the single-source provider required changes in the administration of testing procedures. The amendments proposed are designed to bring the rules in Chapter 32 into alignment with Iowa Code chapter 259A.

Interested persons may submit comments orally or in writing by January 4, 2013, at 4:30 p.m. Comments on the proposed amendments should be directed to Mike Cormack, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-3399; e-mail mike.cormack@iowa.gov; or fax (515)242-5988.

A public hearing will be held on January 4, 2013, from 10 to 11 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing. Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of specific needs by calling (515)281-5295.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 259A.

The following amendments are proposed.

ITEM 1. Amend rule 281—32.1(259A) as follows:

281—32.1(259A) Test. Applicants for ~~high school equivalency diplomas~~ the Iowa high school equivalency diploma shall ~~satisfactorily complete the General Educational Development Tests published by the General Educational Development Testing Service of the American Council on Education, One Dupont Circle, Washington, D.C. 20036.~~ indicate the holder thereof has achieved the equivalent of a high school education as measured by scores obtained on the test(s) approved by the Iowa department of education to measure high school completion.

This rule is intended to implement Iowa Code section 259A.1.

ITEM 2. Amend rule 281—32.2(259A) as follows:

281—32.2(259A) By whom administered. ~~The General Educational Development Tests tests shall be administered in official testing centers authorized by the General Educational Development Testing Service, other agencies for whom scores are reported by the General Educational Development Testing Service, Defense Activities for Non-Traditional Education Support (DANTES), and other institutions and agencies upon special authorization of the Commission on Educational Credit and Credentials.~~ Iowa department of education. Official testing centers shall be established with an accredited and approved institution.

This rule is intended to implement Iowa Code section 259A.2.

ITEM 3. Amend rule 281—32.3(259A) as follows:

281—32.3(259A) Minimum score. ~~Applicants shall make a minimum standard score of 410 on each test and an average standard score of 450 on all five of the General Educational Development Tests. must~~ achieve the appropriate minimum standard scores in effect at the time the applicant tested as established by the Iowa department of education.

ITEM 4. Amend rule 281—32.4(259A) as follows:

281—32.4(259A) Date of test. Effectiveness of test scores. ~~Test results dated prior to the date of application will be acceptable provided the tests were taken at an authorized center as specified in rule 32.2(259A). Test scores shall remain valid for a period of five years from the date of the first test. If the applicant has not received the Iowa high school equivalency diploma by then, the applicant must retake the expired test(s). The only exception is for test series expiring prior to the five years, in which case all prior tests are void.~~

This rule is intended to implement Iowa Code section 259A.1.

ITEM 5. Amend rule 281—32.5(259A) as follows:

281—32.5(259A) Retest. Any applicant not achieving the minimum standard test scores as defined in rule 281—32.3(259A), upon payment of a \$40 fee to cover only the testing costs, shall be permitted to make application for retest and scoring of the retest, provided that one of the following conditions is met:

32.5(1) A period of ~~six~~ three months from the date of original testing has elapsed.

32.5(2) Applicant shall complete instruction in an adult education program, in the area or areas to be retested. This instruction shall be certified by an official of the adult education program to the ~~chief or alternate examiner administering the retest(s).~~ test administrator (state or local) authorized to release the retest earlier than three months.

This rule is intended to implement Iowa Code sections 259A.2 and 259A.5.

ITEM 6. Amend rule 281—32.6(259A) as follows:

281—32.6(259A) Application fee. The applicant or supporting agency shall pay an application fee of \$25 to cover only actual testing costs. ~~This fee shall be paid to the official Iowa General Educational Development Testing Agency and shall allow for initial testing and scoring of the initial testing of the eligible candidate with the five General Educational Development Tests.~~

This rule is intended to implement Iowa Code sections 259A.2 and 259A.5.

ITEM 7. Adopt the following **new** rule 281—32.8(259A):

281—32.8(259A) Admission to testing. No one under 16 years of age is allowed to test. Testing of 16-year-olds is restricted to these conditions: (a) resident of an Iowa juvenile institution; or (b) under the supervision of a probation office. To take the high school equivalency test, anyone 17 years of age or older who is not enrolled in a secondary school or who is not a high school graduate may be admitted to testing. The only requirements for admission for testing are proof of age and, for an applicant 17 or 18 years of age, consent of the applicant's parent or guardian and verification of nonenrolled status. The applicant cannot receive a diploma until the applicant has reached 18 years of age and the applicant's class from ninth grade has graduated.

This rule is intended to implement Iowa Code section 259A.2.